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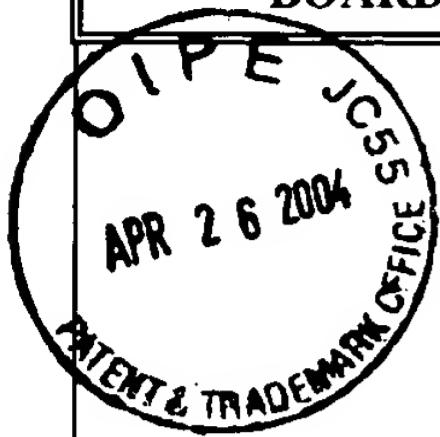
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**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Attorney's Docket No.:
BAL6019P0011US



In Re Application Of: Claude Hope et al.

Serial Number: 09/429,723 Filed: 10/29/99

For: Mutant Apical Dominance Gene in Eustoma

Group Art Unit: 1661 Examiner: M.A. Grunberg

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Applicant hereby appeals to the Board of Appeals and Interferences from the decision of the Examiner dated January 26, 2004, rejecting claims 41-76.

The item(s) checked below are appropriate.

1. Applicant claims small entity status. (See 37 CFR 1.27.)
 A Statement Claiming Small Entity Status is enclosed.
2. Appeal fee (37 CFR 1.17(b))
 Large Entity - \$330.00 Small Entity - \$165.00
3. A petition and fee for an extension of time for reply to the rejection is enclosed.
 Large Entity
 \$110.00 \$420.00 \$950.00 \$1,480.00
 Small Entity
 \$55.00 \$210.00 \$475.00 \$740.00
4. A check for the amount of \$330.00 is enclosed.
5. Please charge the fee(s) to Deposit Account Number 23-0785. A duplicate copy of this sheet is attached.
6. Please charge any additional fee(s), or credit any overpayment, to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.

I am: applicant.
 assignee of record of the entire interest.
 attorney or agent of record
 attorney or agent acting under 37 C.F.R. 1.34(a).

04/27/2004 SDIRETA1 00000143 09429723

01 FC:1401

330.00 OP

Lisa V. Mueller, Reg. No. 38,978

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